IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 442 (M/B) 2001
(Old No. 42730 of 1999)

M/s. Himalaya Stone Industries,
And nine others. ……..…]Petitioners

Vs.

State of U.P. Forest Department,
Through its Special Secretary,
And one another. ……]Respondents

Mr. Tarun Agarwal and Bhupendra Singh, Advocate for the petitioner.
Mr.N.B.Tiwari, Advocate for the Respondents..

Coram: Hon'ble S.H. Kapadia, C.J.,
Hon'ble Rajesh Tandon, J.

Date: 02.09.2003:

PC:

Rule.

Respondents waive service.

The District Magistrate to decide whether the stone grits and stone dust constitute forest produce. The dispute will be decided by the District Magistrate within four weeks from production of copy of this order. Petition disposed of accordingly.

In case the decision goes in favour of the petitioners, then in that event the amount paid as transit fee under protest shall be refunded.

(Rajesh Tandon, J.) **(S.H. Kapadia, C.J.)**

Negi: